

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JULIE A. SU, Acting Secretary of Labor,  
United States Department of Labor

Plaintiff,

-against-

CARIBBEAN ISLAND RESTAURANT & BAR, LLC,  
and BIBI ZALENA BETHUNE, Individually,

Defendants.  
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22-CV-4054 (ARR) (ST)

NOT FOR ELECTRONIC  
OR PRINT PUBLICATION

OPINION & ORDER

ROSS, United States District Judge:

Plaintiff, Acting Secretary of Labor Julie A. Su, has filed a motion for default judgment against individual Defendant, Bibi Zalena Bethune, requesting that I: (1) find “that Defendant Bibi Zalena Bethune violated the FLSA’s child labor provision and obstructed [an] investigation [into that violation]; and (2) enjoin[] Bibi Zalena Bethune from violating those provisions of the FLSA in the future.” Pl.’s Mot. for Default J. 2. Ms. Bethune has not filed an answer or otherwise moved with respect to the Plaintiff’s complaint, which includes allegations that she violated the FLSA by using “oppressive child labor in an enterprise engaged in commerce or in the production of goods for commerce,” and by “interfering with and obstructing the Secretary’s investigation into [her] compliance with the FLSA.” Compl. ¶¶ 39, 42; *see also* 29 U.S.C. §§ 212(c), 215(a)(4) (child labor provisions); *id.* § 211(a) (investigation provision). Because Ms. Bethune is in default, I must “accept[] as true all well pleaded allegations against [her] . . . for purposes of determining liability.” *Finkel v. Romanowicz*, 577 F.3d 79, 83 n.6 (2d Cir. 2009).

Given that the Clerk of the Court has entered a Certificate of Default and Ms. Bethune has not filed an answer or otherwise moved with respect to Plaintiff's complaint, I grant Plaintiff's motion for default judgment. I request that Plaintiff submit a proposed order for declaratory and injunctive relief.

SO ORDERED.

\_\_\_\_\_/s/\_\_\_\_\_  
Allyne R. Ross  
United States District Judge

Dated: September 12, 2023  
Brooklyn, New York